

**PROFESSIONAL LICENSURE DIVISION[645]**

**Notice of Intended Action**

**Proposing rule making related to licensure and continuing education  
and providing an opportunity for public comment**

The Board of Cosmetology Arts and Sciences hereby proposes to amend Chapter 60, “Licensure of Cosmetologists, Electrologists, Estheticians, Manicurists, Nail Technologists, and Instructors of Cosmetology Arts and Sciences,” and Chapter 64, “Continuing Education for Cosmetology Arts and Sciences,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 147.76, 157.14 and 272C.16.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapters 147 and 157 and section 272C.16.

*Purpose and Summary*

This proposed rule making changes the process of applying for endorsement by requiring an applicant to provide verification of licensure only from the jurisdiction in which the applicant most recently held a license and disclose public or pending complaints in any other jurisdiction. The proposed amendments remove the name and website of the examination administrator and update the definition of “independent study” by removing the requirement for a posttest.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Board no later than 4:30 p.m. on December 6, 2022. Comments should be directed to:

Venus Vendoures Walsh  
Professional Licensure Division  
Iowa Department of Public Health  
Lucas State Office Building  
321 East 12th Street  
Des Moines, Iowa 50319  
Phone: 515.242.6529  
Email: [venus.vendoures-walsh@idph.iowa.gov](mailto:venus.vendoures-walsh@idph.iowa.gov)

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 7, 2022  
8:30 to 9 a.m.

Via video/conference call  
Meeting link: [us02web.zoom.us](https://us02web.zoom.us), click “join”  
Meeting ID: 898 2267 3476  
Passcode: 507434  
Via telephone: 1.312.626.6799

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making. In an effort to ensure accuracy in memorializing a person’s comments, a person may provide written comments in addition to or in lieu of oral comments at the hearing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subparagraph **60.2(1)“f”(1)** as follows:

(1) The applicant shall submit the test registration fee directly to the test service ~~PSI at [www.psiexams.com](http://www.psiexams.com)~~. NIC examinations are administered according to guidelines set forth by the National-Interstate Council of State Boards of Cosmetology.

ITEM 2. Amend subrule 60.7(2), introductory paragraph, as follows:

**60.7(2)** Applicants shall provide verification of ~~license(s)~~ license in a cosmetology practice discipline from ~~every~~ the jurisdiction in which the applicant has most recently been licensed, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction’s board office if the verification includes:

ITEM 3. Amend subrule 60.17(3) as follows:

**60.17(3)** Provide verification of current competence to practice cosmetology arts and sciences by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the ~~license(s)~~ license from ~~every~~ the jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also

disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.

(2) Verification of completion of 6 hours of continuing education that meet the continuing education standards defined in rule 645—64.3(157,272C) within two years of application for reactivation; or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the license(s) license from every the jurisdiction in which the applicant is or has been licensed and is or has most recently been practicing during the time period the Iowa license was inactive, sent directly from the jurisdiction(s) jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.

(2) Verification of completion of 12 hours of continuing education that meet the continuing education standards defined in rule 645—64.3(157,272C) within two years of application for reactivation; or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

~~(3) Rescinded IAB 11/21/07, effective 1/1/08.~~

ITEM 4. Adopt the following **new** subrule 60.17(5):

**60.17(5)** Submit a sworn statement of previous cosmetology arts and sciences practice from an employer or professional associate, detailing places and dates of employment and verifying that the applicant has practiced cosmetology arts and sciences at least 2,080 hours or taught as the equivalent of a full-time faculty member for at least one of the immediately preceding years during the last two-year time period. Sole proprietors may submit the sworn statement on their own behalf.

ITEM 5. Amend rule **645—64.1(157)**, definition of "Independent study," as follows:

"*Independent study*" means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules ~~and includes a posttest.~~